

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12430 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -OBRA District- AURANGABAD

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1. Brajesh Singh, Son of Harash Narayan Yadav, Resident of village - Mahadi, P.S. Obra, District – Aurangabad Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 24-04-2017

Heard both sides.

The petitioner seeks bail in Obra P.S. case No. 126 of 2016 under Section 304B/34 of the Indian Penal Code.

The informant alleged that he married his daughter, Nirmala Devi, with petitioner on 31.05.2015 but her husband and others subjected her to physical and mental torture due to non fulfillment of demand of additional dowry. On 14.10.2016, the informant got information from petitioner, Brajesh Singh, that his daughter got burn injuries due to burst of gas cylinder. The informant went there and found his daughter lying dead. There was no gas cylinder and smell of kerosene oil was coming out from the room of the house.

Sri Bachan Jee Ojha, the learned counsel for the petitioner, submits that the victim accidentally got burn injuries while she was boiling milk. The petitioner also got burn injuries in



order to put off fire but the petitioner could not save his wife. The petitioner is in jail since 15.10.2016. Hence, the petitioner may be enlarged on bail but on perusal of the case diary, it appears that the deceased was married with the petitioner on 31.05.2015 and she died due to burn injuries on 15.10.2016 in her Sasural. The I.O. inspected the place of occurrence but did not find any remnant of gas cylinder. There was no sign of accident in which the deceased is said to have got burn injuries. The informant and other relatives of the deceased very categorically stated that petitioner and others were torturing the deceased due to non fulfillment of demand of additional dowry.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial and conclude the same within one year from the date of receipt of this order.

If the trial is not concluded within one year, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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